

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES**

IN THE MATTER OF:



Reg. No: 201243236
Issue No: 5017
Case No: [REDACTED]
Hearing Date: July 24, 2012
Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on July 24, 2012. Claimant appeared and testified.

ISSUE

Did the Department properly deny Claimant's request for State Emergency Relief (SER) assistance with home repairs?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. On March 5, 2012, Claimant applied for SER assistance with home repairs.
2. On March 14, 2012, the Department sent notice of the application denial to Claimant.
3. On March 29, 2012, the Department received Claimant's hearing request, protesting the SER denial.

CONCLUSIONS OF LAW

The State Emergency Relief (SER) program is established by 2004 PA 344. The SER program is administered pursuant to MCL 400.10, *et seq.*, and by, 1993 AACS R 400.7001-400.7049. Department policies are found in the State Emergency Relief Manual (ERM).

In this case Claimant's application for home repairs was denied because she did not provide proof of ownership of the home. During the hearing it was also determined that she was never specifically asked to provide proof of home ownership. At the hearing Claimant presented documents which prove that she owns the home. The evidence in

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this record shows that the Department's denial of Claimant's March 5, 2012 State Emergency Relief (SER) application was incorrect.

Because of the requirements of current estimates for home repairs, it was determined that the most effective way for Claimant to get an application for home repairs processed is for her to submit a new application and get the estimates updated. Claimant and the Department case worker were informed that the denial was reversed but both agreed to a new application and updated estimates.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department DID NOT properly deny Claimant's March 5, 2012 State Emergency Relief (SER) application.

There is no order necessary regarding the March 5, 2012 application because Claimant will submit a new application with updated estimates and the Department will process that application.

/s/

Gary F. Heisler
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: July 26, 2012

Date Mailed: July 27, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. MAHS will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

GFH/tb

cc:

